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**FILED**  
DISTRICT COURT OF GUAM  
MAR 30 2006 *98*  
MARY L.M. MORAN  
CLERK OF COURT

8  
9 IN THE UNITED STATES DISTRICT COURT  
10 FOR THE DISTRICT OF GUAM  
11

12 UNITED STATES OF AMERICA, ) CRIMINAL CASE NO. 02-00070  
13 )  
Plaintiff, )  
14 )  
15 vs. )  
16 )  
17 LOURDES ROSA MORA, )  
aka LOURDES ROSA CREW, )  
18 )  
Defendant. )  
19

20  
21 Comes now the parties, United States of America, by and through the undersigned  
22 attorneys, and Defendant, LOURDES ROSA MORA aka LOURDES ROSA CREW, and her  
23 attorney, JOAQUIN C. ARRIOLA, JR., and hereby stipulate and recommend the following for  
24 purposes of the hearing concerning Supervised Release Violation Petition set for April 13, 2006:

- 25 1. On May 28, 2003, defendant was convicted of a Class C felony - possession of  
26 methamphetamine hydrochloride with intent to distribute in violation of  
27 21 U.S.C. §841(a)(1). The initial guideline range for such offense was 24 to 30  
28 months based upon an adjusted offense Level 17 and Criminal History Category I.

1 The district court granted the government's downward departure motion for  
2 substantial assistance pursuant to USSG § 5K1.1 and imposed a sentence of 12  
3 months imprisonment with credit for time served and a three-year term of  
4 supervised release;

5 2. On May 24, 2004, the court revoked defendant's supervise release after she  
6 admitted to certain violations including unlawful use of methamphetamine, and  
7 imposed a revocation sentence of eight (8) months imprisonment to be followed  
8 with 28 months of supervised release;

9 3. On March 21, 2006, the defendant admitted to all the Grade C violations reflected  
10 in the Declaration in Support of Petition executed by U.S. Probation Officer  
11 Robert I. Carreon on March 9, 2006; and Supplemental Declaration in Support of  
12 Petition executed by U.S. Probation Officer Grace D. Flores on March 9, 2006,  
13 which petitions reported, among other things, defendant's unlawful use of  
14 methamphetamine.

15 4. Defendant's range of imprisonment for the instant violations is three (3) to nine  
16 (9) months under USSG § 7B1.4. Pursuant to § 7B1.4, Application Note 4, an  
17 upward departure may be warranted in this matter since defendant's original  
18 sentence was the result of a downward departure for substantial assistance and  
19 based upon the defendant's repeated use of drugs during supervised release.

20 5. When supervised release based on a conviction for a Class C felony is revoked,  
21 the maximum term of imprisonment authorized under 18 U.S.C. § 3583(e)(3) is  
22 two (2) years. The parties recommend a revocation sentence of 16 months  
23 imprisonment [the balance of a 24-month maximum term less than prior 8-month  
24 revocation sentence] and no additional supervised release term. Such

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1 imprisonment term will not only provide a means of punishment for defendant's  
2 noncompliance, but also needed correctional and drug treatment for defendant.  
3  
4

5 SO STIPULATED:  
6

7  
8 DATED: \_\_\_\_\_

9   
10 LOURDES ROSA MORA aka  
11 LOURDES ROSA CREW  
12 Defendant

13 DATED: 3/28/02

14   
15 JOAQUIN C. ARRIOLA, JR.  
16 Attorney for Defendant

17 LEONARDO M. RAPADAS  
18 United States Attorney  
19 Districts of Guam and CNMI

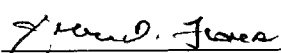
20 DATED: 3/27/06

21 By: \_\_\_\_\_

22 MARIVIC P. DAVID  
23 Assistant U.S. Attorney

24 DATED: 03.29.2006

25 By: \_\_\_\_\_

26   
27 GRACE D. FLORES  
28 U.S. Probation Officer